

Notice of Allowability

Application No.

09/274,771

Examiner

Nhan T. Tran

Applicant(s)

SHIOJI, MASAHIRO

Art Unit

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 9/6/2006 and phone interview on 11/9/2006.
2. ☒ The allowed claim(s) is/are 1,3-6,9 and 11-14.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments, filed 9/6/2006, with respect to claims 1, 3-6, 9, 11-14 have been fully considered. Note that entire applicant's arguments of record filed from 3/20/2003 to 9/6/2006 taken as a whole is persuasive.

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with William Brooks on 11/9/2006.

The application has been amended as follows:

In the title:

The title "Digital Camera" has been amended as – **Digital Camera and Method for Classifying and Reproducing Images --**.

In the claim:

Regarding **claim 4**, in lines 4-5 of claim 4, the limitation "said storing unit" has been amended as – **said memory unit --**.

Allowable Subject Matter

3. Claims 1, 3-6, 9, 11-14 are allowed.

The following is an examiner's statement of reasons for allowance:

Regarding independent claim 1, the prior art of record fails to teach or fairly suggest the combination of all limitations of claim 1 that includes “...**first selecting unit selecting, in said normally picked up image reproduction mode, a desired image among images stored in said memory unit; second selecting unit selecting, in said continuously picked up image reproduction mode, a desired image group among image groups stored in said memory unit, and a desired image among a plurality of images belonging to the image group; and first reading unit taking out the image selected by said first and second selecting units from said memory unit and applying the image to said display unit, wherein said display unit does not simultaneously display both reduced images obtained from the normal pickup mode and the continuous image pickup mode on one screen,... wherein said second selecting unit selects said image group by selecting a desired reduced image to be displayed from the predetermined number of reduced images displayed on said display unit.”**

Regarding independent claim 9, the prior art of record fails to teach or fairly suggest the combination of all limitations of claim 9 that includes “...**said display unit does not simultaneously display both reduced images obtained from the normal pickup mode and the continuous image pickup mode on one screen**;...**first selecting unit selecting a desired image among images stored in said directory in**

said normally picked up image reproduction mode; second selecting unit selecting a desired image group among image groups stored in said directory and a desired image among a plurality of images belonging to the image group, in said continuously picked up image reproduction mode;... wherein said second selecting unit selects said image group by selecting a desired reduced image to be displayed from the predetermined number of reduced images displayed on said display unit."

Regarding claims 3-6, these claims are allowed as being dependent from claim 1.

Regarding claims 11-14, these claims are allowed as being dependent from claim 9.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."


Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nhan T. Tran whose telephone number is (571) 272-7371. The examiner can normally be reached on Monday - Friday, 8:00am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Ometz can be reached on (571) 272-7593. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

NHAN T. TRAN
Patent Examiner



TUAN HO
PRIMARY EXAMINER